

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT HEATH, ET AL.,
Plaintiffs,
v.
GOOGLE LLC,
Defendant.

Case No. [15-cv-01824-BLF](#)

**ORDER GRANTING GOOGLE LLC'S
UNOPPOSED ADMINISTRATIVE
MOTION TO REDACT ORDER
DENYING DEFENDANT GOOGLE
LLC'S MOTION TO DECERTIFY
CLASS**

[Re: ECF 329, 330]

On August 8, 2018, Defendant Google LLC ("Google") filed an Unopposed Administrative Motion to Redact Portions of the Court's Order Denying Defendant Google LLC's Motion to Decertify Class (ECF 317) pursuant to Civil Local Rule 7-11 and the Court's Order Re: Redaction of Order Denying Defendant Google LLC's Motion to Decertify Collective Action (ECF 318). *See* ECF 329, 330.¹

"Historically, courts have recognized a 'general right to inspect and copy public records and documents, including judicial records and documents.'" *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)). Consequently, filings that are "more than tangentially related to the merits of a case" may be sealed only upon a showing of "compelling reasons" for sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1101–02 (9th Cir. 2016). Filings that are only tangentially related to the merits may be sealed upon a lesser showing of "good cause." *Id.* at 1097.

¹ Google filed two separate motions to seal the record that appear to be substantively identical. *See* ECF 329, 330. This Order resolves both motions.

1 Sealing motions filed in this district also must be “narrowly tailored to seek sealing only of
2 sealable material.” Civil L.R. 79-5(b). A party moving to seal a document in whole or in part
3 must file a declaration establishing that the identified material is “sealable.” Civ. L.R. 79-
4 5(d)(1)(A). “Reference to a stipulation or protective order that allows a party to designate certain
5 documents as confidential is not sufficient to establish that a document, or portions thereof, are
6 sealable.” *Id.*

7 The Court has reviewed the administrative motion and the declaration submitted in support
8 thereof (ECF 329, 329-1; 330, 330-1) and finds that the parties have articulated compelling
9 reasons and good cause to seal portions of the Order Denying Defendant Google LLC’s Motion to
10 Decertify Class. The Court has previously sealed the same and similar information as that
11 included in those portions Google seeks to redact, which include commercial figures and
12 statements from gHire documents and expert reports analyzing those documents, commercial
13 information related to Google’s hiring strategies, and techniques used for interviewing and
14 evaluating candidates. *See* ECF 105, 198, 253, 298, 302.

15 Accordingly, the Court hereby **GRANTS** the motion and directs Google, LLC to file a
16 redacted version of the Court’s Order Denying Defendant Google LLC’s Motion to Decertify
17 Class as a separate docket entry on or before **August 20, 2018**.

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19 **IT IS SO ORDERED.**

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21 Dated: August 14, 2018

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23 **BETH LABSON FREEMAN**
24 United States District Judge
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